

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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MARTIN AKERMAN,
Plaintiff,

v.

CAESAR GARDUNO, BRETT BASLER, et
al.,
Defendants.

Case No. 2:24-cv-01602-GMN-EJY

ORDER

Pending before the Court is Plaintiff's *Ex Parte* Motion for Leave to Joinder Case Within 30 Days for Timeliness, Waiver of Fees, and other Declaratory Relief. ECF No. 14. This Motion should not have been filed *ex parte* and the Court orders the Clerk of Court to unseal this Motion. There is nothing warranting a seal of the information provided, nor is there justification for an *ex parte* designation.

Further, Plaintiff's Complaint (ECF No. 2-1) has not been screened, as it must be, under 28 U.S.C. § 1915. Until the Complaint is screened the matter will not proceed in this Court and no further filings should be made until that occurs. Once the Complaint is screened, and if there are claims that can proceed, Plaintiff will be required to serve Defendants. This matter will not be set for an Early Neutral Evaluation, if one is set at all, until service on Defendants is effected and those Defendants respond to Plaintiff's Complaint. If Plaintiff seeks to arbitrate his claims, he may reach out to Defendants directly to discuss the same. Again, until Plaintiff's Complaint is screened, and Defendants are served and have an opportunity to respond to Plaintiff's demand for arbitration, there is nothing more for the Court to rule upon. Plaintiff has not met the standard for reconsideration of appointment of counsel and this request is denied. Plaintiff's Application to Proceed *in forma pauperis*, ECF No. 2, is complete and granted.

Accordingly, IT IS HEREBY ORDERED that Plaintiff's *Ex Parte* Motion for Leave to Joinder Case within 30 Days for Timeliness, Waiver of Fees and other Declaratory Relief (ECF No. 14) is DENIED.

1 IT IS FURTHER ORDERED that the Clerk of Court **must** unseal ECF No. 14 as it is
2 improperly filed *ex parte* and under seal.

3 IT IS FURTHER ORDERED that the Clerk of Court **must** remove this matter from the Early
4 Neutral Evaluation program until Plaintiff's Complaint is screened.

5 IT IS FURTHER ORDERED that Plaintiff's application to proceed *in forma pauperis* (ECF
6 No. 2) is GRANTED. The Court will screen Plaintiff's Complaint (ECF No. 2-1) in accordance
7 with 28 U.S.C. 1915. Until the Complaint is screened, Plaintiff is instructed not to file further
8 motions with the Court.

9 Dated this 3rd day of October, 2024.

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12 ELAYNA J. YOUCHAH
13 UNITED STATES MAGISTRATE JUDGE
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